

To whom this may concern,

The adoption of this rule will severely limit the average consumer in this country. People are not going to want to be forced to purchase new devices simply to LIMIT their fair use rights. This rule will NOT successfully prevent or curtail the actions of dedicated piracy groups who wish to copy and distribute a digital copy of any media broadcast to television systems.

This rule can not be effective for several reasons.

1) It does not regulate and can not regulate all equipment manufacturers who operate in the world. As such, people can and will find ways to hack, bypass, or otherwise import equipment that does not recognize the "copy bit flag" sent in a broadcast. It will only take one system to be able to disseminate the information that you are trying to prevent being distributed.

2) Consumers will not wish to "upgrade" to equipment that will prevent them from having their full "fair use rights." They will not spend their money to purchase equipment which is "crippled" and will not let them watch their shows when they actually want to, not when the networks tell them they have to watch the show.

3) Dedicated people will find ways through a computer to successfully bypass and ignore any "copy flag". Hardware will be needed only to send the broadcast stream to the computer, at which time the computer software will take control and act as a receiver. Since everything can be done with software, at which time the software can then be told to ignore the "copy flag" and then copy the stream.

The only people that this rule will actually hurt is your average consumer. The person who barely knows how to program his VCR to record a weekly show that he or she would miss because of work or some other time conflict. Piracy will still continue to happen because there is no way for the industry to fully control the data stream from its point of origin until it is viewed by the consumer. At some point in its life, that stream will be converted into a human understandable media and at that point it will be copyable by some means. Since the hardware that consumers purchase is under physical control by the consumer, it will always be modifiable by the consumer. And those modifications can and will be used to be able to copy and save the signal.

I want to re-iterate the only people this rule will hurt are the legitimate users and consumers of the devices. Their rights to fair use will be curtailed, while piracy of the broadcasts will still continue to occur.